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NAVAL POSTGRADUATE SCHOOL
Monterey, California

THESIS

NATO AND CONFLICT RESOLUTION

by

Florina – Cristiana Matei

March 2001

Thesis Co-Advisors: Thomas Bruneau
Nancy Roberts

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13. ABSTRACT ***(maximum 200 words)***

Since the end of the Cold War, the Balkan Peninsula has been witnessing various conflicts. The Former Republic of Yugoslavia has become a theater of atrocious confrontations between people with common history and traditions. The wars in Bosnia-Herzegovina and Kosovo, two components of the Former Republic of Yugoslavia, have entailed the involvement of the North Atlantic Treaty Organization in the multinational efforts to stop violence in this region. Since 1990, NATO's new objectives are reducing the risk of conflict, building increased mutual understanding and confidence among all European states, helping to manage crises affecting the security of the Allies, and expanding the opportunities for a genuine partnership among all European countries in dealing with common security problems.

This thesis describes the characteristics of conflict and conflict resolution, with an emphasis on the factors that make a third party intervention in conflict "ideal." It will elaborate on NATO's diplomatic efforts to resolve conflict situations, providing an overview, analysis and evaluation of NATO's intervention as a third party in the conflicts in Bosnia-Herzegovina and Kosovo. Emphasis will be placed on whether or not NATO meets the factors/criteria for an "ideal third party."

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NATO AND CONFLICT RESOLUTION

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Civilian, Ministry of Defense of Romania
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Submitted in partial fulfillment of the
requirements for the degree of

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ABSTRACT

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EXECUTIVE SUMMARY

Despite the global changes and new worldwide trends, the post-Cold War era has been characterized by intrastate conflicts, such as the conflicts in the former Yugoslavia. Oppression, ethnic cleansing and genocide, segregation, and forced assimilation are still strategies and policies considered within many governments' range of choices. It is difficult for both adversaries to deal constructively with such types of conflicts, and for other parties to help them to settle their conflicts. Achieving conflict resolution depends on the disputing sides' willingness to work towards it.

Therefore, conflict management and resolution frequently require the services of a third-party pilot, to help reduce the chances of escalation and crisis. This takes place mainly due to the parties' biased and limiting reciprocal perceptions of conflict issues that prevent them from seeing mutually satisfactory, mutually beneficial, or integrative options, even when they have the desire to settle their discrepancies. The third party is a neutral and impartial person(s)/organization(s) that helps the conflicting parties to narrow gaps and then to bridge them, looks for a common ground, narrows the differences, finds mutual interest, persuades diverse views to reach a final point of, if not agreement, at least, understanding.

After presenting the characteristics of conflict and conflict resolution, this thesis introduces seven criteria for an "ideal third party" action in conflict resolution. For example, an ideal third party should have a plan established prior to any course of action; it should approach a "win-win" strategy to satisfy both its interest(s) and those of the opposing sides; it should remain neutral, acting as a catalyst within the conflict; it should

act as a communicator, formulator, or manipulator, to assist the parties in settling their differences when the conflict requires; it should not seek quick-fix solutions or attempt to rush the mediation process, no matter the circumstances, while taking the concerns of each party seriously; and it should sense what variant to use; if coercive or deterrent means are used, making its rewards and threats ("carrots-and-sticks") credible. Fulfilling all seven criteria in the table qualifies the third party as "ideal"; failing to fulfill any of the seven criteria means that the party is not "ideal."

NATO has been one of the third parties intervening in the conflicts that took place in the Former Republic of Yugoslavia. It has taken decisive actions to halt armed conflicts in this region. NATO's participation in the mediation processes has been based on its policy to work for a country in which all ethnic groups are allowed to live in peace and security. NATO wanted to demonstrate that ethnic cleansing - mass deportation, mass killings, and mass terror - have no place in the Europe of the 21st century. After describing NATO's intervention in the resolution of the conflicts in the Former Republic of Yugoslavia, this thesis analyzes how well NATO met the seven criteria for an "ideal third party."

This thesis finds that NATO failed to intervene in a constructive way to mediate a democratic and peaceful disassociation of former republics from Yugoslavia. It did not meet all seven criteria of the many factors that affect being an ideal third party, therefore it cannot be viewed as an ideal third party. NATO has been found to be more oriented toward coercive and deterrent approaches (as it possesses a multitude of coercive capabilities and assets), rather than toward negotiating (mediation-based) ones. Despite

these limitations, NATO's interventions as a third party during the Bosnia and Kosovo conflicts did have their successes, which also will be outlined in this thesis.

After presenting arguments why NATO is not an ideal third party, this thesis makes several suggestions for future courses of actions by NATO as a third party intervening in conflict resolution.

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I. INTRODUCTION

> Violence closes doors and minds. Good conflict resolution opens them. [Ref.1]

A. RESEARCH QUESTION.

The end of the Cold War has not necessarily made the world less dangerous. Interstate conflicts still occur. These types of conflicts continue as regional leaders fight out issues of rank and relations between one another.

Intrastate conflicts[1] also are the characteristic of current world affairs. These types of conflicts, although they can be settled for a certain period of time, are rarely resolved. Furthermore, the longer conflict escalation lasts, the worse humanitarian problems become. Not only is it difficult for the adversaries to deal constructively with them, due to their incompatible attitudes and behavior, but it also is complicated to for outsiders to help settle their disputes.

[1] Such as anti-regime wars or political and ideological conflicts, ethnonationalist conflicts, interethnic conflicts, genocide.

There are no simple or easy solutions to contemporary intrastate conflicts where numerous parties are involved, where the issues in dispute are various and complicated, and where the level of hatred between the parties is high. Therefore, the responsibility and capability for dealing with these conflicts is not a matter of state policy anymore. States are the prime agents for producing policies responsive to incipient conflicts. When they fail, other states need to consider preventive diplomacy and conflict resolution and management. Actors who are not one of the primary adversaries can often make valuable contributions to conflict solving. Thus, new agencies and powers, or regional organizations, including ready peacekeeping forces, have been called to play a role in dealing with conflicts.

Considering these circumstances, one could argue that conflict management and resolution frequently require the services of a third-party pilot, to help reduce the chances of escalation and crisis. Its functions are, *inter alia*: helping the conflicting parties to narrow gaps and then to bridge them; looking for common ground and narrowing the differences; finding the mutual interest; persuading diverse views to reach a final point of, if not agreement, at least understanding.

For centuries, the history of international relations in the Balkans has been marked by moments of conflict alternating with times of peace, attempts to return to a peaceful life and the sudden collapse into the abyss of war. This is the reason why this region has been considered "the powder keg of Europe." [Ref.2] The high state of instability and conflict in this region has been determined by various factors, mainly domestic: political and economic instability; inter-ethnic factors and problems of

minorities; aggressive nationalism and ultranationalism (sometimes fueled and aggravated by social problems).

Foreign influences also have contributed to the tensions and conflicts in this region: tension among neighboring states; tendencies/attempts at regional hegemony; the potential proliferation of mass destruction and high technology; disproportionate transfers of conventional arms; international terrorism; and migration and crime (including drug and person trafficking).

The Former Republic of Yugoslavia (FRY) is a Balkan country. For many years (during Tito's presidency, from 1945 to 1980), it functioned as a nation-state by providing a peaceful compromise to the conflicting, multifaceted, and perennial "national questions" posed by its component countries or provinces. At that time, Yugoslavia was not only a mosaic of different ethnic nations, but also a system that was developed to accommodate these differences.

After 1980, it collapsed. Two blocs with irreconcilable goals were established: the federal (centralist) bloc (Serbia and Montenegro) versus the confederal (secessionist) bloc (Croatia, Slovenia, and later Macedonia and Bosnia and Herzegovina). The Serbian elite were firmly declaring the legitimate right to the defense of territorial integrity (inviolability of borders) and sovereignty of FRY, while the opposite bloc was firmly claiming the legitimate right to self-determination. In addition, after Tito's death, the elites' authoritarian spirit and inability to compromise, deeply contradicted the multiethnic composition of the society.

Nationalism and ethnonationalism, characterized by a rigid ideology and the aggressive politicization of national identities, as well as by the connection between

religious belief and nationality, have characterized Yugoslavia since 1980. Conflicts started in Bosnia-Herzegovina and Kosovo, where the conflicting parties concentrated, in the first place, on achieving their nationalist and political aims. The Serbian abuses (such as ethnic cleansing and genocide) were directed against opposition parties or religious groups, the independent media, student organizations, independent trade unions, nongovernmental organizations (NGOs), and civic activists, in short, against anyone who potentially threatened the ruling elite's hold on power.

As conflicts arose in the former Yugoslavia, the North Atlantic Treaty Organization (NATO) joined the multinational efforts to settle the conflicts in this region. It has both means and assets to cope with the very changeable nature of current conflicts. As a third party intervening in these conflicts, NATO has taken decisive actions to halt armed conflicts in this region: in the diplomatic field, convincing parties to end their disputes through meetings, and in the military field, alleviating refugee and other humanitarian problems through peacekeeping and relief. Therefore, the Atlantic Alliance's role in conflict/crisis management and in peace operations role has emerged as response to the evolution of the conflicts in Bosnia-Herzegovina and Kosovo.

The aim of this thesis is to elaborate on NATO’s diplomatic efforts to resolve conflict situations. It will provide an overview, analysis and evaluation of NATO's intervention as a third party in the conflicts in Bosnia-Herzegovina and Kosovo. Emphasis will be made on what factors/criteria make a third party intervening in conflict resolution an "ideal" one, and whether or not NATO meets these factors/criteria.

B. RELEVANCE.

To older generations, NATO was the cornerstone of the Cold War policy to "contain" the Soviet Union. To younger generations, NATO is a key-actor whenever there is a security challenge in Europe. It is important to assess the Atlantic Alliance's capability (both diplomatic and military) in resolving conflicts, because NATO is the security and defense instrument of first choice. Without NATO support, the United Nations, the Organization for Security and Cooperation in Europe and other international organizations could not have matched the ferocity of the Serbs and settled the conflicts. NATO will have a role as long as people like Slobodan Milosevic exist in Europe.

Conflict resolution is one of the most important fields in political science, as nowadays conflicts require new ways, techniques, and assets to be solved. NATO has many of these techniques at its disposal. As almost all of the contemporary conflicts demand multiplicity of intermediary roles and functions, knowing how well NATO has behaved in terms of the "ideal third party" during the conflicts in the Former Republic of Yugoslavia will provide guidance for the future.

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II. CONFLICT AND CONFLICT RESOLUTION THEORY

Conflict is the product of unmet needs and unrecognized differences, of perceived present or future incompatibility of plans, goals or actions, and of unacknowledged issues. It is characterized by high complexity and fluidity. The trajectory of a particular conflict is never absolutely fixed from beginning to end, despite the fact that sometimes it may appear to be so. Small unexpected gestures, actions and non-actions can create very large changes in outcome. Accordingly, the methods used to deal with conflict are various, proportional to both the nature of conflict and the turning points in its pathway. Often conflict requires the presence of a neutral third party for resolution.

This chapter focuses on conflict and its types, as well as the various ways and methods to deal with it. It also describes the characteristics and means of those who intervene to resolve a conflict.

A. WHAT IS CONFLICT? WHAT ARE THE TYPOLOGIES OF CONFLICT?

Conflict is a natural and very typical phenomenon in every type of human relationship, and at every level: from intrapersonal (the realm of psychology) to global. The Merriam Webster Dictionary defines it as the "competitive or opposing action of incompatibles: antagonistic state or action (as of divergent ideas, interests, or persons)." Conflict, thus, is one form of social interaction that involves at least two parties who disagree. The two parties argue with each other and dispute issues they both care about.

Conflicts occur between persons, organizations, communal groups, and states, reflecting relationship within a family, a community, and an international system. [Ref.3] Conflicts can be related to specific interests or processes within organizations and social systems. Interest disputes are immediately provoked by broken agreements, unobserved norms, and competition in the use of resources. Conflicts can be long lasting, destructive, or a combination of the two. [Ref.4] The nature of conflict depends on how problems are defined and framed. Generally, struggles between opposing forces touch on differences in opinions and contending interests.

According to the Ethnic Conflicts Research Project (ECOR) [Ref.5], there are different types of conflicts. Conflicts can be structured as follows: the resource frame (conflict in terms of the what the participants want out of the conflict, as for instance many conflicts are over territory), the interest frame (the underlying needs of the participants in conflict), and the identity frame (what the conflict is for, what it serves), which are considered conflict identification factors. Examples of conflict include the following:

- ✓ Anti-regime wars or political and ideological conflicts, known as State versus Insurrection (SvI), aim at replacing the current government or changing the sociopolitical system. They encompass varying forms, such as liberation movements vs colonial powers, popular movements and/or sociorevolutionary movements vs authoritarian state, and destabilization or reestablishment of a status ante.
- ✓ Ethnonationalist conflicts, generally occurring as intrastate conflicts opposing states and national groups (State versus Nation, SvN), are the most frequent

type of contemporary armed conflicts and wars. They are long-lasting, and sometimes include inter-state conflicts (MSvN).

- ✓ Interstate conflicts, State versus State (SvS), are also considered a "classic type" of warfare.
- ✓ Decolonization wars of foreign-state occupation (FSO) have a dominant ethnonational character.
- ✓ Interethnic conflicts serve the particular collective (nonprivate) interests of actors. The issues regard tribalism, clan conflict, chauvinism, narrow nationalism, along with economic aspects.
- ✓ Gang wars occurring between nonstate actors, mixed with criminal elements exist mainly in situations of state collapse. Actors act according to particular or even private interests, so the economic aspects prevail.
- ✓ Genocide, as state-organized mass murder and crimes against humanity, illustrates the intention of the rulers to exterminate individuals belonging to a particular national, ethnic, "racial," or religious group. It is the most atrocious type of mass violence, which differs from warfare in that it targets civilians (noncombatants) as victims, including old people, children, and babies.
- ✓ Mixed forms of conflicts are comprised of the previously stated types.

B. METHODS/TECHNIQUES TO DEAL WITH CONFLICT.

One of the key-questions regarding conflicts is how to manage and resolve them. As modern societies have become more complex, problems of managing conflict have become cardinal, with broad implications for human well-being and social change.

Conflict resolution is the process of "concluding a dispute or a conflict in which the disputing parties, with or without the assistance of mediators, negotiate or, otherwise, strive toward a mutually acceptable agreement or understanding, taking into account each other's concerns." [Ref.6] It often entails reframing the conflict so that it is regarded as a shared problem, which requires changes in the psychological environment. Conflict resolution, therefore, aims at helping alienated parties analyze the causes of the conflict and explore strategies for changes in the system that generate it. Conflict Resolution is successful, if the future causes of conflicts are eliminated without the use of threats. Collaborative processes, rather than power bargaining, can help discover accommodations that bring net advantages to all concerned. In general, any given conflict's susceptibility to a win-win solution depends on the nature of the issues, the configuration of interests, and the availability of alternative options, as well as the commitment of parties to problem solving. Constructive conflict resolution is more likely when the parties cooperate with and respect each other, approach the conflict as a problem to be solved by using their creativity, see it as creatively challenging, focus on underlying needs, not positions, and behave in nonviolent ways.

Conflict resolution, thus, is a multidisciplinary field, a mix of psychology, philosophy, political science, sociology, anthropology, and law. It represents a

convergence of means (or arrangements for the future), not necessarily participants' interests or perspectives, since participants commonly come to support the same arrangement or agreement for very different reasons. Conflict resolution does not necessarily resolve tensions between parties. It may simply sufficiently align matters to permit each party to make enough progress on their desired ends, preferring "a state of agreement" rather than an uncertain and stressful "state of disagreement."

Various types of conflict management and conflict resolution techniques have been developed to deal with conflict. Four of them will be examined here, based on the level of agreement between the parties in conflict: coercion, deterrence, negotiation between two parties (including the Alternative Dispute Resolution model (ADR), and the basic needs model), and the third-party intervention.

1. Coercive Diplomacy.

Coercive diplomacy for defensive purposes, in Alexander L. George's [Ref.7] view attempts "to persuade an opponent to stop or reverse an action." Coercive diplomacy for offensive use[2] attempts to "persuade a victim to give up something of value without putting up resistance." Therefore, coercive diplomacy is a response to an action already carried out. Coercive diplomacy aims to support a demand on an adversary with a threat of punishment for noncompliance that will be credible and potent enough to persuade them that it is in their best interest to submit to the demand.

[2] Also known as "blackmail strategy."

Coercive diplomacy grants the defender the opportunity to achieve reasonable objectives in a crisis with less cost, and it has less chance than a war to alter the future relationship between the parties in conflict. Coercive diplomacy suggests a hierarchical policy of solving problems. It resembles an ultimatum, which consists of a specific demand on the opponent, a time limit for compliance, and a threat of punishment for noncompliance. The difference resides in that coercive diplomacy does not impose a time limit.

2. Deterrence.

Deterrence, on the other hand, is a threat of punishment to discourage an opponent from undertaking a not yet started action, or prospect of reward. Deterrence, in Alexander L. George and Richard Stoke's view is "persuasion of one's opponent that the costs and/or risks of a given course of action he might take outweigh its benefits." [Ref.8] Like coercive diplomacy, however, deterrence also implies a hierarchical policy of solving problems.

Neither coercion nor the deterrent approach results in discovery and removal of roots of conflict and cannot prevent the occurrence of similar events. The third technique examined here does.

3. Negotiation between Two Parties.

A negotiation situation is one in which there is a conflict of interests. What one side wants is not necessarily what the other wants, yet both sides prefer to search for solutions, rather than giving in or breaking-off contact. As an "alternative" to either force or formal authority, negotiation is a formal process by which two or more parties try to reach an agreement. Every desire for satisfaction is, at least, potentially an occasion for negotiation. Whenever people exchange opinions with the intention of changing relationships, or whenever they converge towards agreement, they are negotiating.

According to Ikle, negotiation is a process in which "explicit proposals are put forward ostensibly for the purpose of reaching agreement on an exchange or on the realization of common interest where conflict interests are present." [Ref. 9] It aims at avoiding the use of force to resolve the conflict. Negotiation requires compromises and concessions by both sides of the conflict, without expectations about winning or losing. Any method of negotiation may be considered based upon three criteria: it should produce an agreement (if agreement is possible) that meets the legitimate interests of each side to the extent possible, resolve conflict interests fairly, last throughout the process, and take community interests into account; it should be efficient; and it should improve or at least not damage the relationship between parties involved in conflict.

There are various negotiation models, but current interest is in negotiation processes, which seek "win-win" solutions and try to improve relationships. There are interest-based negotiations, in which parties are encouraged to seek workable solutions accommodating the needs and interests of all parties in the negotiation. Additionally,

there are positional negotiations, in which one party takes a position on an issue, trying to compel the opponent to accept that position or something close to it. [Ref.10] In a successful negotiation, everyone wins, as the objective should be agreement, and not triumph or success. Under these circumstances, the point of a successful negotiation is to shift the situation to a "win-win" situation, even if it looks like a "win-lose" situation. Almost all negotiation processes have at least some elements of “win-win.”

A particular case of negotiation is the Alternative Dispute Resolution (ADR). ADR is an effort to arrive at mutually acceptable decisions; it is based on the belief that individuals should be able to resolve their differences without depending on coercive means. ADR processes cover early neutral evaluation, mediation, non-binding arbitration, negotiated rule-making, third-party intervention. It involves shaping the process to minimize the destructive elements promoting productive uses of conflict. All these processes involve a more voluntary, free speech and rationality-based form of cooperation.

As in the negotiation case, the intent of ADR is to achieve an agreement that is satisfying and acceptable to all parties, achieving a “win-win” solution. “Win-win” solutions involve interest-based versus positional bargaining. Positional bargaining comprises a series of positions (alternative solutions that meet particular interests or need) for other parties to reach agreement; whereas interest-based bargaining involves the collaborative effort of all parties to jointly meet each other’s needs while satisfying mutual interests. The underlying premise is problem solving via peaceful, non-threatening means. The premises also include the following: defining the problem rather than proposing solutions or taking positions; identifying the situation as an opportunity

for collaboration; negotiating over interests versus positions; analyzing a wide spectrum of alternatives; agreeing on criteria by which to evaluate alternatives, and the like.

The voluntary nature of ADR, and its generally accepted non-confrontational and non-adversarial features along with the flexibility in terms of settlement make it a valuable conflict resolution process.

Another type of conflict resolution technique derives from the basic needs model. The model assumes that unfulfilled needs are the primary sources of conflict and violence and that if the normal human being's aggression level is low, then basic needs are thought to be met. If they are not, then basic needs are thought to be unfulfilled. Thus, the satisfaction of basic needs is essential to non-adversarial and non-confrontational problem solving, because parties perceive they are in a "win-win" situation, or approach the negotiation wanting to satisfy both their own needs and the other's needs.

4. Third-Party Intervention.

Conflict resolution may be accomplished with or without a third party intervention, which includes *inter alia* mediation and arbitration.

Often, parties have difficulty negotiating directly. Therefore, the presence of a third party (negotiator, mediator) is needed to help produce a "mutually acceptable solution." [Ref.11] It represents a neutral and impartial person(s)/organization(s) that act(s) as a catalyst within the conflict, without imposing a solution on the parties, making a decision for, or giving any legal advice to the parties.

Mediation is a form of third-party intervention in conflict. It is a voluntary and confidential conference between two disputing parties and a third party (mediator) that assists the parties in discussing, negotiating and achieving solution to their problem. Conference means that the mediator has no power to make decisions independent of the parties. Only the parties can make decisions. Voluntary means that the parties need not agree on any resolution and may refuse to participate or cease participating at any time. Confidential favors open discussions without fear of statements being used against the party making them, and protecting the mediator from being used to benefit one side or the other.

To fulfill its objectives, mediation must be made acceptable to the adversaries in the conflict, who must cooperate diplomatically with the intervenor. Consequently, the power in mediation (often referred to as leverage), namely the "ability to move a party in an intended direction" [Ref.12] highly depends on the parties. According to William Zartman and Saadia Touval [Ref.13] there are five sources of a mediator's leverage: persuasion (the capacity to depict a favorable future), extraction (the capacity to entail an enticing position from each party), termination (the ability to withdraw from mediation), deprivation (the capacity to retain resources from one party or to transfer them to the other), and gratification (the capability to add resources to the result).

In the case of conflict where direct contact between parties is impossible, the mediator can serve as a communicator, acting as a conduit, opening contacts, and carrying messages, in order to avoid parties' talking one another, and to help parties make concessions without appearing weak or losing face. [Ref.14]

In other situations, when conflict may prevent parties from conceiving ways out of the dispute, mediation requires a mediator as formulator who persuades the sides or suggests solutions to their discord. [Ref.15] Moreover, if there are situations when reaching an agreement is hindered by the apparently minor size of the outcome, the negotiation/mediation process requires the mediator to act as a manipulator, persuading the parties of its point(s) of view with regard to the solution. [Ref.16]

The motives of a third party to intervene in a conflict differ from case to case. However, the main reasons stated by mediators are conflict reduction and the desire to make peace. There are, of course, self-interest motivations for mediators' intervention in conflict situations, such as seek for a special relationship with the parties involved in conflict, and a desire to extend and increase influence. [Ref.17]

The most powerful third party element is arbitration. Arbitration is a method of resolving differences or disputes between two (or more) parties over the establishment, interpretation or application of the terms and conditions of a contract. It involves an independent third party that is either required by law or requested by the parties to make an award on the disputed issue(s) after considering the parties' evidence and arguments. An arbitrator analyzes both sides' understanding, examines evidence relating to the case, and then makes a determination of who is right and who is wrong, or how a conflict should be settled. [Ref.18] Usually, the arbitrator's decision is binding and cannot be appealed. Thus, the arbitrator is the most powerful type of intermediary. Arbitration is successful when the parties simply want a settlement, without any concern for losing control of the process or the outcome.

C. WHAT ARE THE CHARACTERISTICS OF AN "IDEAL THIRD PARTY"?

As earlier stated, some conflicts cannot be resolved without the help of an intermediary, a third party. This takes place mainly due to the parties' biased and limiting reciprocal perceptions of conflict issues that prevent them from seeing mutually satisfactory, mutually beneficial, or integrative options, even when they have the desire to settle their discrepancies. It is in such cases that third parties can be the most helpful. By bringing to the conflict their own knowledge and experience, their own perspective, and, of course, their own power, they make previously unconsidered options visible and feasible. The issue is what are the characteristics of an "ideal" type of a third party intervening in a conflict; in other words, what does a third party have to do for an effective and successful conflict resolution?

Since successful conflict resolution has, as Ho-Won Jo puts it, "a preventive effect on future conflicts by eliminating the possible causes of problems without using threats" [Ref.19], an ideal third party is the party that is skillful enough to annihilate the roots of conflict, and stop the occurrence of similar events. Under these circumstances, resolving a small issue that depends on an overarching one, without eliminating the causes of that overarching conflict, is not a successful resolution at all. The roots of the dispute must be removed. In addition, an ideal third party is the party that, however urgent the necessity to resolve a particular conflict, does not seek quick-fix solutions or attempt to rush the mediation process. The third party has to take seriously the concerns of a party.

To achieve that end, a third party intervening in a conflict must prove its ability of transformation of relationships, and reduce the sense of isolation or singularity of the parties.

A potent third party plans its mediation development in advance, assuming that it would be helpful during conflict resolution to be able to look back on a plan.

In general, most successful negotiators start off assuming collaborative (integrative) or "win-win"-type negotiation. Most skillful third parties try for a "win-win" or aim at a situation where both parties feel like they win. This is because negotiations tend to go much better if conflicting parties perceive they are in a "win-win" situation or both sides approach the negotiation wanting to satisfy both their own needs and the other's needs.

Although mediation in negotiation or transformation is the main characteristic for a successful third party, there are cases when mediator's strategy must also embody other elements of conflict resolution, with the third party trying to remain neutral throughout the entire trajectory of the conflict.

Certainly, there are situations when, due to the very destructive state of conflict, bias is required, as well as the third party's support for one of the parties in conflict. On the other hand, mediators, although not allowed to take sides, may allow themselves a certain degree of partiality permitting themselves to express their preference concerning the conflict resolution result. Accordingly, if required, the mediator can serve as a communicator, formulator or manipulator.

There are also situations when the nature of conflict demands the third party to use coercion and deterrent means. An ideal third party must know very well what to

demand of the opponents, and whether and how to create a sense of urgency for compliance with the demand, without imposing an ultimatum or, the nature and size of punishment, as well as, how to utilize the "carrot-and-stick" [Ref.20] approach.

In this context, a successful third party must couple its threat of punishment with positive inducements to encourage the adversary to comply with the demand. Both threats of punishment and rewards have to be credible to seriously be taken into account by the other parties involved in conflict. On the other hand, an ideal third party must have the ability to sense what variant [Ref.21] of the coercive diplomacy strategy is the best to make use of during its intervention in conflict. In addition, it must consider that the opponent is not "rational" [Ref.22]; in other words, the third party does not have to expect that the adversary would behave, or react in a certain way, based on its calculations or speculations. The third party has to be aware that multiple external and internal factors influence the opponent's behavior, and its capability to receive and assess new, changing, and challenging information.

D. WHAT ARE THE OUTCOMES OF SUCCESSFUL NEGOTIATION AND THIRD PARTY INTERVENTION?

Successful negotiation and third party-intervention grant opening for communication between disputing parties, and bring positive changes in their relationship. An effective conflict settlement facilitates the attenuation of a sense of isolation, a fear of abandonment, generating a belief in others. Disagreements and arguments are successfully managed if extreme polarization, physical violence, and

rancor are avoided. Successful efforts to limit escalation of disputes can lead to build interpersonal trust that prevents the interpretation of the situation in extreme terms. Thus, transformation in the course of conflict and relationship are outcomes of successful negotiation and third-party intervention.

Transformation reflects a better understanding of the nature of conflict itself. It implies that conflict is something that should be ended. Conflict transformation is a prescriptive concept. It suggests that left alone, conflict can have destructive consequences. Therefore it is important to alter it or transform it so that self-images, relationships, and social structures improve and are not aggrieved by the conflict. Transformation involves changing perceptions of issues, actions, and other people or groups. Since conflict usually transforms perceptions by accentuating the differences between people and positions, effective conflict transformation can work to improve mutual understanding. Even when people's interests, values, and needs are different, or non-reconcilable, progress is made when each group gains a relatively accurate understanding of the other. Thus, Louis Kriesberg views transformation as a "fundamental and enduring change away from a protracted, destructive struggle between adversaries toward a constructive accommodation between them." [Ref.23] Transformation involves transforming the way conflict is expressed, as it results in either reconciliation between opponents or a new conflict, which this time, is more constructively conducted. In this case, the adversaries must recognize each other's claims and humanity, and begin to view their previously conflicting goals as reconcilable. Transformation comprises four stages [Ref.24], varying in duration and irreversibility.

During the first phase, exploratory, members of one side may analyze the possibility for suitable accommodation. Discussions take place either among parties in conflict alone, or with the support of a third party.

During the second phase, Initial Signals and Actions, tentative probes may be dismissed as tricks or reduced as not representing the position of authoritative representatives of the other side. This is usually accompanied by explicit statements and facts, in order to be effective. De-escalation of conflict may start when one party begins making concessions and compromises, inviting the other party to do the same. The aim, (even if it sometimes requires time and resources), is cooperative relations via conciliatory moves by both sides.

During the third phase, Reaching Agreements and Understanding, accommodations between opponents, which develop gradually, are usually marked by agreements on specific conflictual issues, or confidence-building measures (CBMs). These measures ensure opponents that neither side will take or politically prepare surprise military actions against the other.

During the fourth phase, Implementation and Institutionalization, the parties, with or without the intervention of a third party, make sure that the above mentioned agreements and measures are observed and implemented, without any infringement.

Conflict transformation is the result of a mix of circumstances and interpretations of those circumstances. It entails reaching an agreement and changing the relationship.

III. DESCRIPTION OF THE ROLE OF NATO IN THE RESOLUTION OF CONFLICTS IN BOSNIA-HERZEGOVINA AND KOSOVO

The North Atlantic Treaty Organization had its fiftieth anniversary in 1999, which made it the oldest alliance ever. Its long life is impressive, as alliances go. Since its inception, NATO has worked for the achievement of its essential purpose: "safeguarding the freedom and security of all its members by political and military means in accordance with the principles of the United Nations Charter," [Ref.25] which reaffirms the inherent right of individual or collective defense. Over the years, NATO has succeeded in protecting its member states and in guaranteeing their security without being involved in an Article 5 collective defense contingency. [Ref.26]

The current international environment has new characteristics: there are more frequent risks, including interethnic and religious disputes, drug trafficking, organized crime, and proliferation of weapons of mass destruction. Under these circumstances, conflicts have become more frequent. Intrastate warfare and nonwar types of mass violence, such as genocide and mass murder[3] have dominated the international relations sphere after the Cold War. NATO has taken various measures to prevent and solve conflicts, as its purpose is to enhance the Euro-Atlantic stability, well being, and freedom. In addition, stability and peace in South Eastern Europe has also become a

[3] I.e. the conflicts in Bosnia, Kosovo.

priority on the new NATO agenda. That is why NATO has been one of the third parties intervening in the conflicts in the former Yugoslavia.

This chapter describes the Alliance's role during the Cold War and its aftermath, as well as its role in the conflicts in the Former Republic of Yugoslavia.

A. NATO'S HISTORICAL BACKGROUND.

1. NATO during the Cold War.

By 1949 the Cold War between the United States and the Union of Soviet Socialist Republics (USSR) was underway. In the years after World War II, faced with the pressing need for economic reconstruction, Western European countries and their North American allies feared the expansionist policies and methods of the USSR. They viewed these actions as threats to international stability and peace. Therefore, they decided to develop a common defense system and to strengthen the ties between them in a manner that would enable resisting further use of the expansionist policies and methods of the USSR.

The signature of the Brussels Treaty in March 1948 by Benelux, France, and the United Kingdom [Ref.27] marked the determination of these Western European members to collective defense. In addition, negotiations between Western Europe, Canada, and the United States, took place for the creation of a single North Atlantic Alliance based on security guarantees and mutual commitments between Europe and North America. Norway, Denmark, Italy, Iceland, and Portugal were invited to take part in this process.

As a result, the Treaty of Washington was signed in April 1949, which founded a common security system based on a partnership among these twelve countries. Greece and Turkey acceded to the North Atlantic Treaty in 1952, along with the Federal Republic of Germany in 1955 and Spain in 1982. The treaty established the North Atlantic Treaty Organization, the Organization that serves the Alliance.

During the Cold War, the Alliance's main concern was defense of its members' territories against the threat or coercion of the Communist Block. Obviously, any operations beyond NATO's territory, the so-called "out-of-area"[4] [Ref.28] were remote. Under these circumstances, conflict resolution or crisis management for NATO at that time were applied mainly to NATO's Article V mission of collective defense. The Alliance's main military mission was preparedness for deterrence and defense in case of aggression against the Alliance.

As it succeeded in securing peace in Europe, NATO was viewed as a source of stability and security for Europe throughout the Cold War.

2. NATO Today.

In the early 1990s, the political transformation of the USSR and Eastern Europe, and the dissolution of the USSR and the Warsaw Pact (1991) marked the end of the Cold War era. Not only have these events transformed the political situation in Europe, but

[4] Article VI of the North Atlantic Treaty establishes the area of operation for NATO.

they have also radically reduced the military threat from Russia. Considering these circumstances, the question of the need for continuation of the Alliance was raised.

Although the nature of the risks faced by the members of the Alliance has fundamentally changed, menaces to peace and stability have, as events have proven, still remained. As earlier noted, the Alliance has always sought to achieve its objectives of safeguarding the security of its members and establishing an enduring peace in Europe via both political and military means. This comprehensive approach remains the basis of the Alliance's security policy. In the new security environment, the chances of achieving these objectives by political means, as well as taking into account the economic, social and environmental dimensions of security and stability, are better than ever before. NATO has devoted much of its efforts in this decade to seek ways of justifying its continuation, and in identifying new strategic concepts and missions. Created to defend peace, NATO has attempted to transform itself into an organization committed to promoting peace, after the Cold War. NATO's Strategic Concept adopted in Rome in 1991 [Ref.29] outlines a broad approach to security and integrates political and military elements of the Alliance's security policy. This approach creates a coherent total, establishing cooperation with new partners in Central and Eastern Europe as an integral part of the Alliance's strategy. Hence, NATO's new agenda comprises the security and peace of Central and Eastern Europe.

B. NATO'S ROLE IN CONFLICTS.

Post-Cold War Europe has been buffeted by nationalist passions unleashed in South Eastern Europe. Against the background of the crisis in the former Yugoslavia, attention has been directed increasingly towards possible NATO support for the Organization for Security and Cooperation in Europe (OSCE) peacekeeping activities and its contributions to the United Nations (UN), OSCE and European Union (EU) negotiation efforts. As a result, as the Alliance actively pursues its commitment to achieve an effective collective defense capability and increase the institutional basis for crisis management and conflict prevention and resolution, NATO has new objectives that aim at: reducing the risk of conflict, building increased mutual understanding and confidence among all European states, helping to manage crises affecting the security of the Allies, and expanding the opportunities for a genuine partnership among all European countries in dealing with common security problems. Examples of these new roles are in Bosnia-Herzegovina and Kosovo.

NATO's involvement in the Bosnia and Kosovo wars signaled a shift in NATO's missions in a post-Soviet Europe. These actions were carried out outside of NATO's area of operations without directly serving to protect a NATO country from an aggressor. NATO's actions during these wars were directed against the Yugoslav Government and security forces, pursuing brutal acts of ethnic cleansing, and not directed against the Serbian people.

NATO also participated in the mediation processes, because its policy during the conflicts was to work for a country in which all ethnic groups are allowed to live in peace

and security. NATO wanted to demonstrate that ethnic cleansing - mass deportation, mass killings, and mass terror - have no place in the Europe of the 21st century. It also supported the work of the humanitarian organizations in relieving the suffering of the refugees by coordinating the airlift and storage of relief supplies, building shelters and other infrastructure, providing emergency medical care, and much more.

1. Bosnia.

a. Characteristics of the Conflict.

As in all conflicts involving ethnicity, religion, national aspirations, and economics, there is no single cause of the Bosnia conflict. Considering the resource frame, the interest frame, and the identity frame, [Ref.30] the conflict in Bosnia represents a mix of interethnic conflicts and genocide. It is interethnic because actors pursued particular collective interests, such as chauvinism, nationalism, along with economic aspects. It is genocide because mass murder and crimes against humanity were organized by the state, illustrating the intention of the rulers to exterminate individuals belonging to a particular national, ethnic, or religious group. Targets and victims have been civilians, including old people (men and women), teenagers, children, and babies.

b. History of the Conflict.

Yugoslavia was created after World War I, and comprised the following regions: Slovenia and Croatia (Catholic), Serbia (Orthodox), Montenegro, Macedonia, Kosovo, Bosnia-Herzegovina (Muslim and Orthodox), and Vojvodina (Catholic). After World War II, it was divided into 6 republics and 2 provinces with a collective, Federal Presidency. Each republic and province had a president and representation in a Federal Assembly. This fragmented history meant that traditional symbols, legends, and heroes - memories that help bind most nations together - have tended to pull the people living in Yugoslavia in different directions. Strains within Yugoslavia's federal system emerged after Josip Broz Tito's death in 1980.

Before its independence, Bosnia had approximately four million inhabitants. Of these, three ethnic groups predominated: Slavic Muslims (forming 44 percent of the population), Serbs (31 percent), and Croats (17 percent). At that time, a power vacuum developed in which separatist tensions quickly mounted throughout the 1980s. The 1990 elections in Bosnia resulted in a governing coalition corresponding to the three major ethnic groups. Muslims and Croats in the governing coalition favored independence for Bosnia-Herzegovina, which was rejected by most Bosnian Serbs.

In 1992, The Socialist Federal Republic of Yugoslavia (SFRY) broke up and wars started in the former republics of Slovenia, Croatia, and Bosnia-Herzegovina. In January 1992, nationalist Bosnian Serb leaders proclaimed a Serbian entity within Bosnia. In an ensuing referendum, over 63 percent of Bosnians chose independence. Therefore, the criteria for recognition previously set forth by the US and the EU, were

met. Despite the Bosnian Serb party's boycotting the vote and "encouraging" the Bosnian Serb community to follow suit, many Serbs supported the elected government. However, almost immediately, the Bosnian Serbs, backed by the Serbian-controlled Yugoslav army, began forcible resistance to Bosnia's independence. By the end of Spring 1992, Bosnian Serbs, who had significant military superiority, achieved control over more than 60 percent of Bosnia's territory. The US, along with most of the international community, recognized the independence of Bosnia-Herzegovina in April 1992. Bosnia, together with Croatia and Slovenia was admitted to the UN in May.

The Serbian forces were supplied and supported by Slobodan Milosevic [Ref.31], a nationalist Serb who became president of the Communist Party in 1986, and Serb president in 1989, after removing Ivan Stambolic from the Serb presidency. Supporting the Serbian forces was part of Milosevic regime's efforts to create a Greater Serbia. By early May, the Yugoslav Army announced that it would withdraw from Bosnia-Herzegovina. In reality, however, thousands of Bosnian Serbs simply changed uniforms and continued prosecuting the war and genocide. In response to this, the UN Security Council imposed economic sanctions against Serbia at the end of May 1992.

c. NATO's Involvement in the Conflict.

The international arena, including NATO, decided to take part in these events in order to prevent an escalation of the conflict. In this context, several negotiation efforts including the Vance-Owen [Ref.32] peace plan that would have divided Bosnia

into ten, rather than three, cantons, failed, largely because of the Serbs's refusal to concede any territory (70 percent of Bosnia was under Serbian control by 1994).

During the Summer of 1992, as the human rights and humanitarian crisis intensified, the Security Council voted to send UN peacekeepers to Bosnia to facilitate delivery of humanitarian relief. This mandate was later extended to the protection of a number of UN-declared "safe areas." To help assure the safety of humanitarian operations, the UN imposed a "no-fly zone" over Bosnia in October. In April 1993, NATO began to enforce the "no-fly zone." In early 1994, with UN-EU efforts bogged down, the United States decided to undertake more active involvement, seeking to back diplomacy with the threat of NATO air power to protect safe areas and UN peacekeepers. The UN's failure in maintaining the "safe areas" justified the Clinton administration's decision to circumvent the UN and OSCE, in favor of NATO. NATO agreed in July to use air power to protect UN forces if attacked and, in August, declared its readiness to respond with air strikes. [Ref.33]

NATO/US initiated aggressive efforts to bring the war to an end in the Summer of 1995, when the tide began to turn against the Serbs, and as Muslim-Croat forces recaptured some of the Serb-held territory in Bosnia. In reaction to a Bosnian Serb rocket attack that killed many civilians in a Sarajevo marketplace, NATO carried out its threat to bomb the Bosnian Serbs. On August 30th 1995, NATO forces launched air strikes on Serb targets, thus commencing Operation Deliberate Force, the largest NATO military action up until that time. [Ref.34] NATO's aim was primarily to ease the siege of Sarajevo and induce the Bosnian Serbs to agree to negotiate. Accordingly, the strikes were directed at a small number of targets that, if destroyed, would not adversely affect

the Serbs' ability to hold territory. The strikes decreased the Bosnian Serbs' ability to command and control their troops.

Despite a bombing suspension on September 1st, the Serb military refused to comply with a NATO ultimatum to remove all heavy weapons from a 12-mile exclusion zone around Sarajevo, stop attacks on Sarajevo or other "safe areas", and allow complete freedom of movement for UN forces and nongovernmental organizations (NGOs) (including unrestricted use of the Sarajevo airport). NATO thus resumed bombing on September 5th.

Due to the military defeats on the ground and NATO bombing from above, the attacks by Bosnian Serbs were halted. The Bosnian Serbs were brought to the negotiating table at the auditorium of a US Air Force base in Dayton, Ohio, on November 21st, 1995. The presidents of Serbia, Croatia, and Bosnia-Herzegovina gathered with representatives from the Contact Group (comprising NATO countries - such as US, France, Britain, Germany - and Russia) in Dayton to initiate a peace agreement ending the war in Bosnia. The road to the Dayton accord was a long and difficult one. It was paved by NATO bombardment, the successful negotiations in Geneva and New York [Ref.35] that cemented the basic principles of the final settlement, and the three-week talks at Wright-Patterson Air Force base that finally produced agreement.

NATO/US negotiated directly with Milosevic to reach a solution to the Bosnian war and authorized Milosevic to negotiate on behalf of the Bosnian Serbs. At the meetings in Geneva (September 8th, 1995) and New York (September 26th, 1995), the Foreign Ministers of Bosnia, Croatia, and Serbia (also representing the Bosnian Serbs) agreed to basic principles for a settlement in Bosnia: the preservation of Bosnia as a

single state; an equitable division of territory between the Muslim/Croat Federation and a Bosnian Serb entity based on the Contact Group's 51/49 formula; constitutional structures; free and fair elections; and respect for human rights.

In Dayton, the Bosnian Serb leadership was ready to settle and comply with NATO's conditions. These negotiations were called "proximity peace talks," [Ref.36] because significant territorial issues had to be resolved in Dayton. Maps were a significant part of the currency of negotiation.

The Dayton Accords that ended the war in Bosnia were designed to guarantee a lasting peace in Bosnia and Herzegovina and to lay the foundations for a reintegration of the country's divided ethnic communities. Formalized in Paris on December 14th, the Dayton Accords consisted of the General Framework Agreement for Peace in Bosnia and Herzegovina and eleven annexes, setting forth obligations of the parties and the international community to implement the agreement. They called for a federalized Bosnia in which 51 percent of the land would constitute the Croatian-Bosnian federation and 49 percent would constitute the Serb Republic.

The Dayton Accords also included provisions that gradually increased the scope of the central institutions. Hence, the functions of the commissions on human rights, displaced people and refugees, and the preservation of national monuments would transfer to Bosnia's central government five years after the signing of the Dayton Accords (unless the parties agreed otherwise). This would give the central institutions substantial authority over human rights and the return of people in both entities to their homes. To enforce the agreement a new 60,000-member international force was

deployed. Therefore, the Dayton Accords represented both a territorial and a political compromise.

Federal and regional elections in September 1996 produced a tripartite national presidency. The federal legislature, with seats apportioned to each ethnic group, was dominated by nationalist parties. It was estimated that by the end of 1994 at least 200,000 people had died and more than 2,000,000 had been driven from their homes.

2. Kosovo.

a. Characteristics of the Conflict.

Like the Bosnian conflict, the Kosovo conflict has multiple roots, and represents a mix of interethnic conflict and genocide. "The root cause of conflict in Kosovo is two-pronged." [Ref.37] On one level, conflict was generated by power struggles among elites (states or quasi-states), or by exacerbated nationalism of certain leaders. On another level, it was the result of historically-conflicting national identities, human development needs, misunderstandings among the general populace, and a culture of failing to accept responsibility for social problems. In their struggle for power, political elites exploited the already existing disturbances in the general populace and, when desirable and feasible, they created new ones.

The turbulences also had their roots in the differing national identities of the two groups, defined in opposition to each other. In this context, Serbs consider themselves cultured in contrast with the primitive Albanians; whereas, the Kosovar

Albanians see themselves as peaceful compared to the aggressive Serbs. Serbian nationalism stemmed from victimization, the need to struggle and defend the motherland, and the Orthodox purity against other primitive religions. [Ref.38] On the other hand, Kosovar Albanians' nationalism stemmed from the victimization at the hands of Serbs. [Ref.39]

With regard to the second level, the conflict resulted from the way the two oppositional national identities play out in everyday life. In the Kosovo case, the very identities of Serbs and Kosovo Albanians are "under attack," [Ref.40] and they do not understand each other's needs and desires.

In addition, political elites deliberately perpetuated and exploited conflict between the population, so that social-economic institutions and structures that perpetuate poverty continued to ensure that human development needs remain unmet. Moreover, Serbian-run institutions in Kosovo played a tremendous role in increasing violence between Albanians and Serbs in this region.

b. History of the Conflict.

Following the death of Tito who granted autonomy to Vojvodina and Kosovo in 1974 (fact that angered the Serbs), the decline of Yugoslavia started. Hence, in 1980, the predominantly Albanian population of Kosovo commenced demonstrations aimed at forcing the Yugoslav Government to recognize the province as a federal republic on an equal basis with the six existing republics. In the Spring of 1981, acts of civil disorder and economic sabotage, led largely by students at the University of Pristina,

the capital of Kosovo, escalated. The demonstrators publicly proclaimed issues of discrimination and freedom as the bases of discontent. As a result, the national government sealed off Kosovo, sent in the militia to restore order, and closed educational institutions. Virtual occupation of the region by the Yugoslav People's Army followed.

Milosevic used Serbian nationalism and resentment of the Kosovo Albanians as a springboard to national power. For the Milosevic's regime, Kosovo was more than a dispute over land. It represented the image of Serbianity that Serbs must protect. At a Communist Party meeting in Kosovo Polje in April 1987, Milosevic told Serbs, "No one should dare to beat you." [Ref.41] For this position, he became a popular hero to Serbs in Kosovo. After that meeting he was determined to reverse the Albanianization of Kosovo, seeing it as a path to supreme power in Serbia. As a result, in 1989, he abrogated Kosovo's constitutional autonomy, concurrently launching a purge of ethnic Albanians from the province's civil service and curtailing government funding for public institutions, including the schools.

Serbia also dissolved the Kosovo assembly. What the Milosevic regime wanted was a much tighter Yugoslav federation, controlled by Belgrade. Viewed by Serbians as the cradle of their nation, the maintenance of Kosovo as part of Serbia became a cornerstone by the appeals of the nationalists and ultranationalists that dominated Serbia's politics following the disintegration of Yugoslavia. In response to Belgrade, the Kosovars, led by Ibrahim Rugova, set up a shadow government (Democratic League of Kosovo), and began a campaign of non-violent resistance to the Serbian oppression. The political leadership of the ethnic Albanian majority in Kosovo sought greater independence and freedom from Serb authorities since the early 1990s, but

Serbia (impartially) rejected the idea. The peaceful [Ref.42] mass demonstrations provoked by the abolishment of the Kosovo Constitution in 1989, were overcome by Serbian security forces.

Pressured by Serbian President Slobodan Milosevic, the Kosovo Assembly abolished the province's autonomous status. Legislation was passed that denied ownership and work to Kosovo-Albanians. As a result, in 1991, tens of thousands of ethnic Albanians in Kosovo lost their jobs, and the Albanian cultural institutions in Kosovo were suppressed by Serbia. Consequently, the Republic of Kosovo was created in a secret referendum in 1991. It was recognized only by Albania's Parliament.

In defiance of the Serbian authorities, ethnic Albanians elected writer Ibrahim Rugova as president of the self-proclaimed Republic of Kosovo and set up a provincial assembly. Serbia declared the election to be illegal, and the Kosovo Albanians began non-violent resistance to the oppressive rule from Belgrade. In 1996 the Kosovo Liberation Army (KLA) appeared on the scene, claiming responsibility for a number of bombings and attacks against Serbian police and state officials. In 1997, the KLA claimed responsibility for a further series of violent incidents, including bombings, attacks on police stations, and raids on refugee camps. Serb police crushed Albanian student demonstrations in October. In 1998, the friction increased visibly. In February-March, Serbian police conducted a series of raids in the Drenica region of Kosovo, burning houses, emptying villages, and killing dozens of ethnic Albanians.

c. NATO's Involvement in the Conflict.

As it was in the case of Bosnian conflict, the international arena including NATO wanted to halt the escalation of conflict and bring the parties to the negotiation table. Many activities were held at the international level, i.e. between each side in the conflict and foreign representatives, ambassadors, envoys, as well as within international organizations (in the UN, OSCE, NATO) and the Contact Group. However, the Albanian side did not respond to the series of invitations for negotiations with the Serbian side. Instead they insisted that they were only prepared to discuss independence and demanded an outside mediator.

On the other hand, the Serbian side rejected the second condition, using as an excuse the results of a referendum held in Spring 1998 in which a great majority of the participants – fearing influence coming from an unfavorable international community – refuse the participation of foreign representatives in negotiations on Kosovo. Both sides viewed negotiation as a betrayal. The KLA's negative attitude towards negotiation, the threats to those leaders of Albanian political parties who would sign any agreement except the one on Kosovo's independence, as well as the Serbian side's refusal to negotiate with representatives of KLA, resulted in only a couple of contacts between the two sides.

The UN Security Council approved (with China abstaining) Resolution 1199, on September 23rd, 1998, which demanded a cessation of hostilities and warned that additional measures to maintain or restore peace and stability in the region would be considered if the measures demanded in this resolution were not taken. The next day,

NATO took the first formal steps toward military intervention in Kosovo, approving two contingency operation plans - one for air strikes and the second for monitoring and maintaining a cease-fire agreement - if one was reached.

On October 8th, the Contact Group reiterated the six UN demands to Milosevic: an end to Serb offensives in Kosovo, withdrawal of Serb forces, freedom of access and full cooperation with the International War Crimes tribunal, safe return of refugees to their homes, and a start to a negotiated solution to the crisis.

The US sent its diplomat, Richard Holbrooke, to Belgrade to continue searching for a diplomatic and peaceful solution to the conflict, on the one hand, and to identify a potential way for political dialogue to take place between Serbs and Kosovar Albanians. Subsequently, NATO Secretary General signed an agreement in Belgrade for NATO forces to carry out the air verification regime to oversee Serbia's compliance with UN Resolution 1199, while OSCE President signed an agreement that called for 2,000 members of the Kosovo Verification Mission (KVM) to move in.

On October 12th, Milosevic made key concessions to Holbrooke and agreed to comply with UN demands. He agreed to allow the above mentioned 2,000-member OSCE observer force to enter Kosovo and NATO to fly reconnaissance missions over Kosovo. On October 13th, NATO approved an activation order (ACTORD), reiterated on January 30th, 1999, placing authority for air strikes in the hands of the Secretary General, saying that execution would begin in approximately 96 hours. However, implementation was delayed until October 17th to allow Milosevic to sign implementation accords.

On October 15th, Milosevic gave permission for NATO reconnaissance flights to begin, and on October 16th, he agreed to allow the OSCE KVM force to enter Kosovo. On October 17th, NATO again extended its deadline to October 27th to give Milosevic time to withdraw troops and allow the OSCE to assess compliance with UNSC resolutions.

Nonetheless, it appeared that not all forces were being withdrawn and some new units were being sent into Kosovo. The Supreme Allied Commander (SACEUR), and NATO Military Committee Chairman visited Belgrade on October 24th and warned Milosevic that NATO would launch air strikes unless forces were withdrawn by October 27th. NATO suspended the threat though, as it appeared that Milosevic was withdrawing his forces. However, NATO said it would keep its forces in a high state of alert.

Before the deadline expired, on October 27th, 4,000 special police troops went to Pristina, thus bringing Serbia into compliance with the terms of the agreements it had reached. Fighting nevertheless continued in Kosovo, despite the beginning of the deployment of the KVM on November 6th. An extraction force of 1,800 troops was to be deployed in Macedonia to extract the KVM if they were threatened. On November 15th, the Serb president agreed to a discussion with Kosovar Albanian leaders, who rejected it.

The US envoy continued to move the peace plan forward. The plan, presented by the envoy in September, envisaged autonomy for Kosovo. His peace deal was redrafted on November 18th, but was stalled because of renewed violence. The US envoy's failure to involve the KLA was considered to be a major stumbling block.

Fighting intensified in December in Kosovo between Serb forces and the KLA, ending with a local truce which was agreed upon on December 27th. On December 7th, both the Albanian and Serb Kosovars rejected a new NATO/US draft for a peace plan. On December 29th, the NATO Secretary General warned all parties to maintain peace or face the threat of force.

The conflict escalated in 1999. A massacre of Albanian civilians was reported in Kosovo, and Yugoslavia accused Albania of aiding terrorists. Tirana reported an increase in the number of firings by Yugoslav forces into Albania. Belgrade also became increasingly hostile to the OSCE KVM. On January 29th, the Contact Group met in London and gave Serbs and ethnic Albanians an ultimatum to attend peace talks in France starting February 6th[5]. Both political leaders in Kosovo and a KLA spokesman announced their participation in the proposed peace talks.

Talks began in Chateau Rambouillet (France) on February 6th, under the auspices of the Contact Group and the co-chairmanship of French and British Foreign Ministers, as well as in the presence of three co-mediators representing NATO/US, the European Union, and the Russian Federation. After heated deliberations, the Serbs refused to allow NATO ground forces in Kosovo and left without signing an agreement. After a further extension of the deadline for 3 days, the talks stopped on February 23rd. The ethnic Albanians agreed in principle to signing the entire accord, but requested time to consult with Kosovar Albanians at home. Both sides agreed to meet again in France on March 15th for further negotiations. When both sides met again in Paris in March, the

[5] The talks were to last one week, with the possibility of an extension to a second week if progress would be made.

Serbs no longer supported even the political portion of the proposal. Only the Albanian delegation signed the agreement.

The aim of the Rambouillet talks was to reach an agreement on substantial autonomy for Kosovo, while respecting the national sovereignty and territorial integrity of the Federal Republic of Yugoslavia. The plan of the Rambouillet Agreement deals with government structure, territorial status, communes, assemblies, competences, presidential matters, administration, courts, ombudsman, human rights, councils, monitoring, police and security, extradition of war criminals, law enforcement, crowd and traffic control, police operations, border security, arrest and detention, and elections.

For the Kosovo Albanians, it stipulates that they immediately have total control over the province. The only sacrifice required of them is to wait three years before the arrangements are made legally permanent. For the Serbs, the Rambouillet agreement stipulates that immediately upon signing they lose all sovereignty over Kosovo. Total political control would belong to the Albanians and the NATO Civilian Implementation Mission. In addition, Yugoslav laws would no longer apply in Kosovo, nor would Yugoslavia be able to exercise police powers in Kosovo. After three years, these arrangements would be made permanent by the will of the people of Kosovo, who are mainly Albanians.

The Yugoslavian delegation at Rambouillet agreed to give the Albanians autonomy in Kosovo (including religious, education, health care systems, and local government operations). However, it tried to negotiate on preserving the right of the Yugoslav federal government to determine economic and foreign policy, on maintaining Yugoslav national law in Kosovo, and on limiting international presence in Kosovo to

observation and advice, not control. The Serbian negotiating efforts were rejected, and the Serbs were told they had only two choices: sign the agreement as written, or face NATO bombing.

The day after the Paris peace talks were suspended, Yugoslav armed units launched an offensive, driving thousands of ethnic Albanians out of their homes and villages, executing some, displacing many others, and setting fire to many houses. One last diplomatic effort was made by the international community on March 21st, 1999, by sending the US envoy to Belgrade to deliver a final warning to Milosevic, however no concessions came. Milosevic's stubbornness ultimately forced NATO to take military action.

On March 19th, the OSCE KVM were withdrawn, and on March 24th, the NATO Secretary General authorized Operation Allied Force to compel Belgrade to allow an implementation force into Kosovo. NATO airstrikes began at 1900 hours GMT on March 24th, 1999, and the Yugoslav government declared a state of war in Yugoslavia. The Yugoslav leadership responded to the NATO airstrikes by intensifying the ethnic cleansing process and driving a large proportion of the Kosovar Albanian population out of the province into Macedonia, Albania and Montenegro. Belgrade appeared to be aiming at the complete removal of the Albanian population of Kosovo.

Although the primary justification for NATO actions against Yugoslavia was its refusal to sign the Kosovo peace agreement put forward at Rambouillet, there were two main reasons for the Alliance's intervention in Kosovo: humanitarian reasons and NATO's interest in the region (lasting peace, democracy, and stability.) NATO began its bombing campaign with three key demands: NATO troops be granted control

over the province of Kosovo, Yugoslav forces be withdrawn, and substantial autonomy be granted to the Kosovo Albanians pending a referendum to decide the province's fate after three years. When the intensive bombing - and the vengeful, criminal actions of Serb forces - led to the mass migration of Kosovar Albanians, a fourth demand was added: the refugees be allowed to return to their homes. Thus, after repeated attempts to reach a diplomatic solution failed, the NATO airstrikes were intended to prevent an imminent catastrophe.

On June 3rd, 1999, President Slobodan Milosevic finally accepted peace terms presented by the international arena. With the authorization of the United Nations, NATO and Russian forces deployed into Kosovo to begin the task of restoring peace to the province. Thus, on June 20th, Operation Allied Force was officially terminated as all Serbian and Yugoslav forces withdrew from Kosovo. The province was subsequently divided into peacekeeping zones where NATO troops are currently deployed enforcing law and the restoration of the area's infrastructure.

Kosovo Force (KFOR), with NATO at its core, is establishing a secure environment for the return of refugees and Internally Displaced Persons: Albanian and Serb. KFOR provides the general conditions of security to allow the UN, the OSCE, the EU and other international organizations, agencies and non-governmental organizations to carry out their tasks of reconstruction, humanitarian assistance and re-establishment of law and order.

IV. ANALYSIS OF THE ROLE OF NATO IN THE RESOLUTION OF CONFLICTS IN BOSNIA-HERZEGOVINA AND KOSOVO

NATO is one of the third parties that took part in conflict management in the former Yugoslavia, acting both militarily and diplomatically. After the wars ended in Bosnia and Kosovo, NATO has taken part in the efforts to implement the Dayton Agreement and Kosovo peace plan, and to support political reconstruction.

The North Atlantic Alliance has the potential to contribute to international peace and humanitarian operations with a wide spectrum of assets and capabilities [Ref.43]:

- ✓ NATO has common procedures, effective command and control systems, effective logistics systems and capabilities, substantial transportation means, extensive modern infrastructure.
- ✓ NATO has strategic resources and unique capabilities to deal with conflict.
- ✓ NATO has well-trained modern and interoperable military forces. Its various military forces posses a scale and degree of readiness not available elsewhere.
- ✓ NATO has multidimensional planning capability.
- ✓ NATO has the capability to develop and contribute an essential core political consensus on difficult issues.

This chapter analyzes whether or not NATO, given its assets and capabilities, complies with the terms of an “ideal third party” taking part in conflicts, based on the conflicts in Bosnia and Kosovo.

Table 1. Criteria for an "Ideal Third Party"

NO.	CRITERIA FOR AN IDEAL THIRD PARTY INTERVENING IN A CONFLICT	CHARACTERISTICS
1.	Plans in advance.	A potent third party plans its mediation development in advance, assuming that it would be helpful during conflict resolution to be able to look back on a plan.
2.	Assumes "win-win"-type negotiations.	In general, most successful negotiators start off assuming collaborative (integrative) or “win-win”-type negotiation, because negotiations tend to go much better if conflicting parties perceive they are in a “win-win” situation or both sides approach the negotiation wanting to satisfy both their own needs and the other’s needs.
3.	Remains neutral.	In general, successful resolution of a conflict occurs when the third party remains neutral/unbiased. Thus, the third part acts as a catalyst within the conflict, without taking sides or imposing a solution on the parties, makes a decision for the parties, or gives them any legal advice.

Table 1. Criteria for an "Ideal Third Party"

NO.	CRITERIA FOR AN IDEAL THIRD PARTY INTERVENING IN A CONFLICT	CHARACTERISTICS
4.	Acts as communicator, formulator, or manipulator, helping the parties to solve the conflict, if required.	In the case of conflict where direct contact between parties is impossible, the mediator can serve as a communicator, acting as a conduit, opening contacts, and carrying messages in order to avoid parties' talking to one another and helping parties make concessions without appearing weak or losing face. In other situations, when conflict may prevent parties from conceiving ways out of the dispute, mediation requires a mediator to be a formulator who persuades the sides or suggests solutions to their discord. Moreover, if there are situations when reaching an agreement is hindered by the apparently minor size of the outcome, the negotiation/mediation process requires the mediator to act as a manipulator, persuading the parties of its point(s) of view with regard to the solution.

Table 1. Criteria for an "Ideal Third Party"

NO.	CRITERIA FOR AN IDEAL THIRD PARTY INTERVENING IN A CONFLICT	CHARACTERISTICS
5.	Does not seek quick-fix solutions.	However urgent the necessity to resolve a particular conflict, the third party does not seek quick-fix solutions or attempts to rush the mediation process. The third party has to take the cares and worries of a party seriously.
6.	Senses what variant to use, if uses coercive or deterrent means.	When the nature of conflict demands the third party to use coercion and deterrent means, this party must know very well what to demand of the opponents, and whether and how to create a sense of urgency for compliance with the demand, without imposing an ultimatum. An ideal third party must have the ability to sense what variant of the coercive diplomacy strategy is the best to make use of during intervention in conflict. The third party should not have to expect the adversary to behave, or react in a certain way, based on its calculations or speculations.

Table 1. Criteria for an "Ideal Third Party"

NO.	CRITERIA FOR AN IDEAL THIRD PARTY INTERVENING IN A CONFLICT	CHARACTERISTICS
7.	Establishes the rewards and threats ("carrots-and-sticks") credible, if uses coercive or deterrent means.	When the nature of conflict demands the third party to use coercion and deterrent means, it must also know the suitable nature and size of punishment, as well as, how to utilize the "carrot-and-stick" approach. If the threat of punishment is coupled with positive inducements to encourage the adversary to comply with the demand, both threats of punishment and rewards have to be seriously taken into account by the other parties involved in the conflict.

A. IS NATO AN "IDEAL THIRD PARTY" INTERVENING IN A CONFLICT?

According to Table 1, an ideal third party should have a plan established prior to any course of action; it should approach a "win-win" strategy to satisfy both its interest(s) and those of the opposing sides; it should remain neutral, acting as a catalyst within the conflict; it should act as a communicator, formulator, or manipulator, to assist the parties to settle their differences when the conflict requires; it should not seek quick-fix solutions

or attempt to rush the mediation process, no matter the circumstances, while taking the concerns of each party seriously; and it should sense what variant to use, if coercive or deterrent means are used, making its rewards and threats ("carrots-and-sticks") credible. A third party intervening in conflict resolution should be extremely adroit in fulfilling all seven criteria in the table to be qualified as "ideal"; failing to fulfill any of the seven criteria means that the party is not an "ideal" one.

This chapter addresses the question of Bosnia first, and then examines the situation in Kosovo. Every criterion in Table 1, along with the factors affecting NATO's being an ideal third party will be further examined.

1. Bosnia.

With regard to the first criterion in Table 1, NATO and the international arena attempting to manage the conflict in Bosnia-Herzegovina, did not plan the negotiations in advance and, therefore, lacked "clear policy objectives." [Ref.44] They were uncertain about the future of the region. Up until 1991 they tried to persuade the Yugoslav republics to remain together [Ref.45], and only after this they started encouraging the splitting of the Former Republic of Yugoslavia. In this case, NATO and the international arena lacked a clearly-defined plan, established in advance, of their courses of action.

With regard to the second criterion in Table 1, successful conflict resolution and management techniques/measures cannot be carried out through imposition, without cooperation from the parties involved. "Win-win"-type negotiations are preferable to "win-lose" ones, in order to effectively solve conflicts. During the negotiations in the

Bosnian conflict, NATO succeeded in approaching “win-win”-type negotiations, aiming to make both parties feel like they would win. During the Dayton Accords, the Bosnian Serbs received 49 percent of the original Bosnia-Herzogovina, while a Federation of the Bosnian Muslims and Bosnian Croats received 51 percent. The division allowed contiguous areas, without divisions, as well as access to the sea for both entities.

Concerning the third criterion in Table 1, Bosnia case confirms that there was truly no impartial intervention by the West. Although the Bosnian Serbs “were completely ignored” (since the NATO/US negotiators discussed only with Milosevic), [Ref.46] they were forced to accept the Dayton Accords. The Dayton Accords thus illustrate that NATO/US did not play the role of an unbiased mediator while attempting to solve the conflicts.

In respect to the fourth criterion in Table 1, when contact between parties was impossible during the Bosnian conflict, NATO served as a communicator or formulator in its diplomatic attempts. It transmitted opinions and facts from and to the opposing sides, or tried to suggest solutions for the differences of the disputing sides. According to Noel Malcolm, the main activity of the West was "diplomacy, negotiation, and conciliation." [Ref.47]

The conference in London in 1992, where the parties in the Bosnian conflict were invited to settle their differences, and the Holbrooke team's round of shuttle diplomacy in 1995, which took them to 31 countries in 15 days,[6] are a few examples of such activities of the West. Milosevic was persuaded by NATO/US that he would have to lead negotiations on behalf of the Republika Srpska, whose leaders had already been indicted for war crimes. In agreeing to attend a meeting of the foreign ministers of Yugoslavia (Serbia), Bosnia, and Croatia, Milosevic *de facto* acknowledged that Bosnia would remain a single country with its current, internationally-recognized borders. At the Geneva foreign ministers' summit in September 1995, the Serbs formally agreed to the continued existence of Bosnia as a country, in which 51 percent of its territory would be controlled by the Muslim-Croat federation and the rest by the Serbs. NATO would send in a massive force to keep the peace and begin rebuilding the country.

With regard to the fifth criterion, avoiding quick-fix solutions, NATO/US and other members of the Contact Group, who wished to avoid any additional complications of the already highly delicate negotiations with Milosevic, in Dayton, embraced quick-fix solutions. In this sense, the issue of Kosovo was avoided during the proximity talks, on the premise that some settlement is better than no settlement at all and continued warfare. Therefore, NATO did not succeed in this criterion.

[6] Including places like Belgrade (three times), Bonn, Brussels, Geneva, Zagreb, Athens, Skopje, and Ankara.

Concerning the sixth criterion in Table 1, the violent conflict in Bosnia-Herzegovina demanded NATO and the other international organizations to use coercive means in addition to negotiation. NATO's coercive diplomacy succeeded in Bosnia. In February 1993, when NATO/US decided to take a more assertive role in the Bosnian crisis, it implicitly used the "try-and-see[7]" [Ref.48] variant of coercive diplomacy. Thus, NATO/US requests that the Bosnian combatants guarantee humanitarian access to the villages and accept the territorial settlement framed in the United Nations/European Community peace plan were backed with allusions to a possible use of airpower and tougher economic sanctions. In this context, NATO/US (through the efforts of Holbrooke and his colleagues) used a combination of force and diplomacy to bring the Muslims, Croats, and Serbs to the bargaining table. The attack on the central market of Sarajevo convinced the West that only a strong show of force would bring Milosevic, if not the Bosnian Serbs, to the table. Stopping the war in Bosnia and achieving the Dayton Accords in the autumn of 1995, were the result of NATO's military force and firm leadership. In addition, the Dayton Accords represented a "largely imposed" [Ref.49] solution to the Bosnian conflict, rather than a solution reached by the parties.

Regarding the seventh criterion in Table 1, NATO's threat and the use of force were credible and instrumental for achieving diplomatic ends in the Bosnian conflict. For that reason, "the sustained NATO bombing campaign had fundamentally transformed the strategic landscape in Bosnia" [Ref.50] and Milosevic, who was reluctant to negotiations in the beginning, was eager to negotiate.

[7] In this version of coercive diplomacy only a demand is made, without a time limit to comply.

2. Kosovo.

As concerns the first criterion in Table 1, NATO did not plan its strategy, or goals of negotiation, or what the future of Serbia and Kosovo should look like, in advance. Only after the bombing campaign on August 30th, 1995, did NATO develop a plan. The plan clearly stated: “Serbs out, NATO in, and refugees back.” [Ref.51]

With regard to the second criterion in Table 1, there were circumstances when NATO attempted to approach “win-win”-type negotiations in the Kosovo conflict, aiming to make both parties feel like they could win, yet trying to remain neutral or impartial. However, the negotiations ended in a "win-lose" situation, for instance, the Rambouillet Agreement, which provided a full-fledged autonomy of Kosovo, backed by the full faith and credit of NATO, including 4,000 American troops on indefinite loan. This did not please the Serbs, which is why they did not want to sign it. However, by signing the Western-backed peace plan for Kosovo, on June 3rd, 1999, the Yugoslavian government accepted the withdrawal of Yugoslav and Serb forces from the province, and the international peacekeeping force which was to facilitate the return of refugees. The peace plan for Kosovo shattered the Kosovo Liberation Army's goal of independence for Kosovo.

In regard to the third criterion in Table 1, during the Kosovo conflict NATO/US was neutral. The Rambouillet Agreement confirms that NATO/US played the role of an impartial mediator while attempting to solve the conflict. Thus, while the main threat issued by NATO before Rambouillet directly concerned the Serbs, before and during the

negotiations, the Kosovars were also told that their refusal to sign the accords would stop support from NATO. [Ref.52]

Concerning the fourth criterion in Table 1, due to the sometimes impossible direct contact between parties, NATO served as a communicator, transmitting opinions and facts, from and to the opposing sides; or as a formulator, trying to persuade the disputing sides and to suggest solutions for their differences. In this context, NATO, along with the Contact Group, opened contacts and carried messages, trying to persuade the parties of their point(s) of view; in other words, it acted as a conduit trying to help the disputing parties make concessions without appearing weak. As a result, both the Kosovar Serbs and Albanians agreed to work toward an interim plan for Kosovo, which aimed at implementing autonomy in the short term, and delaying the political status of the province for three to five years. This was possible as NATO and other international organizations acted as communicators and formulators. Since the search for a diplomatic solution to the Kosovo conflict was a problem[8], due to Milosevic's constant refusal for foreign mediation in any direct discussion with Kosovar Albanians, and Albanians' ceaseless disputes about who should be part of a negotiation team, little progress was initially made in persuading the two adversaries to accept to work toward an interim plan for Kosovo. Success came eventually, due to NATO and the other organizations' acting as communicators and formulators. However, the underlying conflict between the Serbs and Kosovar Albanians remained unsolved, and their positions continued to be diametrically opposed.

[8] As both parties viewed the negotiation as a betrayal.

With regards to the fifth criterion in Table 1, NATO, along with the other international organizations did not seek quick-fix solutions to solve the conflict. NATO delayed the talks for two weeks, at the request of the parties involved in the conflict, in order to let them consider its demands. After the meeting on February 23rd, 1999, the discussions were suspended again until March, 15th.

Concerning the sixth criterion in Table 1, NATO/US tried to use the ultimatum variant [Ref.53] of coercive diplomacy beside negotiation, in order to persuade Milosevic to sign on to a peace plan for the region.

While coercive diplomacy was finally successful in Bosnia, it proved to fail initially in Kosovo. Although the Dayton Accords were possible due to NATO's military intervention, the Rambouillet talks failed, and entailed the intervention by NATO. Although the Holbrooke-Milosevic agreement on October 1998 was probably the last chance for a peaceful resolution of the Kosovo conflict, it represented only a temporary answer to an immediate humanitarian problem, containing the crisis without resolving it. As it focused on resolving the immediate humanitarian crisis, and offered no solutions to the underlying reasons for the conflict, Milosevic violated the provisions of the agreement. As a result, the US and its NATO allies' coercive diplomacy failed.

In spite of the fact that all parties agreed to meet at Rambouillet, France, to reach an agreement, in February 1999, Serbia refused to sign the agreements because of two core issues, both regarding the concept of Serbian sovereignty over Kosovo. First, Serbia would not agree to the withdrawal of all troops from Kosovo. Some troops, numbers unspecified, had to remain. Second, Serbia was not prepared to allow a heavily armed NATO force to occupy Kosovo. It was agreeing to a substantial NATO presence, but not

to an exclusive NATO presence or to *de facto* NATO control of the province. There were other issues, but none were as central as these two. NATO told the Serbs to take it or leave it. Serbia left it.

Thus, the Rambouillet Accord's general intent was to back a demand upon the adversary with a threat of punishment for noncompliance. It represented rather a declaration of war disguised as a peace agreement, therefore, the Serbian parliament seemed to have voted to be bombed. The Allies and the Contact Group set up the framework for the future of Kosovo's approximately 1.5 million inhabitants and the rest of Yugoslavia, around 10 million people, without asking them how they would like their future to be. Since the proposals submitted did not reach agreement on an exchange or on the realization of a common interest, NATO's coercion-based strategy, consequently, entailed the bombing campaign in Spring 1999.

With regard to the seventh criterion in Table 1, while in the Bosnian conflict, NATO's threat of force was credible and instrumental in achieving diplomatic ends, initially, the bombing campaign in Kosovo by NATO was not. It was treated in Belgrade as a simulation by NATO. Belgrade simply did not believe it was real. Accordingly, the first reactions by the regime and the public were defiance and derision. Credibility was undermined, on the one hand, by the absence of a military strategy to prove how a clearly-established objective could be fulfilled via the use of force, and, on the other hand, by the absence of "follow-through on earlier threats of military action." [Ref.54] However, NATO's military campaign eventually succeeded, only after NATO had clearly defined its goals: withdrawal of the Serbian troops, NATO troops on the Serb territory, and return of refugees. Thus, in June, Milosevic finally agreed to withdraw the

Yugoslav army and Serbian police units from Kosovo. It took "eleven weeks of bombing near 40,000 aircraft sorties and the serious threat of ground invasion to bring home to him that NATO meant business." [Ref.55] The agreement provided for 50,000 international troops under UN mandate with "significant" NATO participation (operating not solely under NATO control as in Rambouillet) to occupy Kosovo and guarantee a safe return of Albanian refugees. Unlike Rambouillet, the terms for peace did not include a referendum to determine the future of Kosovo, but instead guaranteed that Kosovo would have broad autonomy within Yugoslavia.

NATO (and the other international institutions, such as UN, OSCE, the Contact Group) failed to intervene in an effective and constructive way to mediate a democratic and peaceful disassociation of former republics from the Yugoslav federation after its destruction by the arbitrary actions of Milosevic's Serbian government and the Serbian-dominated federal army leadership. Since NATO did not meet all seven criteria in the table, it cannot be viewed as an ideal third party intervening in a conflict. There are many factors that affect its being an ideal third party. NATO is more oriented toward coercive and deterrent approaches of dealing with conflicts, as it possesses a multitude of coercive capabilities and assets, than toward negotiating (mediation-based) ones. Nonetheless, far for making NATO an ideal third party, its interventions as a third party during the Bosnia and Kosovo conflicts had also their successes.

B. WERE THE OUTCOMES OF NATO'S INTERVENTION IN THE TWO CONFLICTS DUE TO SUCCESSFUL NEGOTIATION AND THIRD-PARTY INTERVENTION?

Table 2. Successful Outcomes

NO.	SUCCESSFUL OUTCOMES	CHARACTERISTICS
1.	Agreements.	Agreements express a transformation in the content of conflict. They represent the cessation of the fight.
2.	Transformation in the course of conflict and change in relationships.	Transformation reflects a better understanding of the nature of conflict itself. It entails changing the way conflict is expressed, as it results in removing the roots of conflict and stopping the current antagonisms either through reconciliation between opponents or the occurrence of a new conflict, more constructively conducted this time. Removing the roots of conflict and stopping the current antagonisms are, thus, successful outcomes.

According to Table 2, outcomes of a successful negotiation and third-party intervention should consist of the following: agreements and conflict transformation. Thus, an ideal third party should be extremely resourceful in making the opposing sides

reach/sign agreements, and in removing the roots of conflict, while stopping the current antagonisms.

1. Bosnia.

With regard to the first criterion for outcomes of successful negotiations and third-party interventions, as defined in Table 2, the negotiations at the American base in Dayton, Ohio, ended with the signing of a peace agreement. It reached a more lasting solution for Bosnia and the Serb-Croat conflict.

Concerning the second criterion for outcomes of successful negotiations and third-party interventions, as defined in Table 2, a positive result of the negotiations was the contribution to relieving tensions and the reestablishment of stability in the region, without necessarily marking the end of the regional crisis. For this reason, while the Dayton Accords stopped the fighting, they did not include frameworks for ethnic reconciliation or multiethnic societies. In this context, the fact that Kosovo had not been included in the phase of intensive negotiations in Dayton, was probably due to the wish of NATO and the other international mediators. [Ref.56] They wanted to end the war in Bosnia as soon as possible and find a peaceful formula for Serb-Croat demarcation. Mediators in the negotiations wished to avoid any additional complications of the already highly delicate negotiations with Milosevic, believing that some settlement was better than continued fighting and no settlement at all. For Milosevic himself, who had been forced to make a series of big and difficult concessions, opening the issue of Kosovo, at this moment, would have certainly been both painful and risky.

2. Kosovo.

With regard to the first criterion for outcomes of successful negotiations and third-party interventions, as defined in Table 2, the conflict in Kosovo ended with an agreement.

As concerns the second criterion for outcomes of successful negotiations and third-party interventions, as defined in Table 2, the agreements in Kosovo stopped the fighting, although they lacked in provisions for ethnic reconciliation or multiethnic societies. Under these circumstances, the Rambouillet Agreement did not contain any ideas on how to make peace among the citizens who have to live with it when implemented. Their voice was not heard, because most of the delegates in Rambouillet were not representative of the citizens. The terms of the Agreement of June 3rd, 1999 were similar to those of Rambouillet, except that Kosovo would remain part of Serbia, and the occupying forces, though made up largely of NATO countries, would officially be acting in the name of the United Nations.

The outcomes of NATO's intervention as a third party in the conflicts in the former Yugoslavia were not entirely successful. It's diplomacy during the Bosnia and Kosovo conflicts, along with other multinational diplomatic efforts, did not necessarily lead to solving the Balkan problem. Although the resolutions of the two conflicts made reaching agreements possible, they did not necessarily bring changes in the relationship of the disputing sides. Resolution of small issues, such as territorial division, or return of refugees, that rested on broad ones, such as ethnic cleansing, hatred, nationalism, and

whose causes were not removed, did not lead towards a successful resolution of either conflict. Nor did NATO intervention as a third party enable the conflicting parties to set a new course. Thus, NATO and the other parties did not effectively settle the issues, such as extreme polarization, physical violence, and rancor among the Serbs and Muslim Croats on the one hand, and Serbs and Kosovar Albanians on the other hand. A sense of isolation, or a fear of abandonment still exist among the Muslim Croats and Kosovar Albanians. The efforts to limit escalation of disputes did not entail building interpersonal trust, and have, thus, enabled the extermination to continue.

V. CONCLUSION

A. SUMMARY.

NATO's involvement in Bosnia and Kosovo has indicated the expanded role of the Alliance in European and world affairs. Although it is hard to imagine how the combatants themselves could ever have stopped the fighting let alone reached agreements during the Bosnia and Kosovo conflicts, this does not mean that NATO (and the other parties intervening in these conflicts) did effectively solve or manage the conflicts. Did NATO fulfill all of the criteria[9] required by being an "ideal third party" intervening in conflict resolution during both Bosnia-Herzegovina and Kosovo conflicts? This thesis finds that NATO did not. Neither are the outcomes of its involvement in the efforts to solve the two conflicts, examples of successful negotiation and third-party intervention. Absence of a definite plan, failure, to converge towards "win-win" versus "win-lose" negotiations, the use of quick-fix solutions, and the inappropriate use of coercive diplomacy are all criteria, indicated that NATO did not serve as an ideal third party in either Bosnia or Kosovo conflicts.

During the two conflicts, NATO lacked a clear-cut plan, to figure out what the best-expected resolution would be, what a fair and reasonable deal would be, and what a minimally acceptable deal would be, and then, to chose the one best fitting the actual circumstances.

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[9] As defined in Table 1, Chapter IV.

In Kosovo, by converging towards "win-lose"-type negotiation, NATO forced one of the disputing sides to make more concessions and have lesser advantages over the other. Thus, the latter felt like it lost, and viewed itself as disregarded, or victimized.

NATO set forth quick-fix solutions to the conflict in Bosnia, as it wanted to stop the fight as rapidly as possible. The root premises of the conflict were not addressed. Istead, it dealt with only small disputing issues, and not overarching ones.

It may well be that conflicts that have the degree of violence and hatred as in the former Yugoslavia need coercive diplomacy not negotiation. However, NATO's coercive diplomacy initially failed in Kosovo, as it chose an ultimatum that was not credible enough.

B. RECOMMENDATION.

With regard to future conflict resolution and management, in order to create new relational structures and possibilities for moderating and halting conflicts, NATO should improve its capabilities as a third party in the following areas:

- ✓ It should try to take an assertive role in the field of preventive diplomacy, or conflict prevention, in order to keep conflict from erupting in the beginning, instead of trying to mitigate conflicts when they grasp a virtually unmanageable status. [Ref.57]
- ✓ Before taking a role in the process of resolving conflicts, NATO should have a plan, in order to try to find out in advance whether the situation is a "win-win" or "win-lose" one. It should be sure of its goals, positions, underlying

interests, and strategies. On the other hand, NATO should try to identify all disputed issues and figure out the conflicting parties' real goals and issues.

- ✓ When approaching "win-win" negotiations, it is very important that NATO make the disputing sides not feel that they "lost," because, situations like this may sometimes result in lack of commitment to the agreement, or retaliation.
- ✓ Coercive diplomacy is both an important and useful tool for conflict resolution, but it has to represent neither a substitute for diplomacy nor an alternative to using force. It succeeds if it is backed by a credible strategy for employing force decisively to achieve explicit objectives. Thus, while using coercive diplomacy, NATO (along with the other international organizations) should clearly make known to the disputing sides that it will not only punish them if they do not refrain from violence and engage in talks, but also help them if they do. As vital elements in the conflict are underdevelopment, poverty and deepening economic crisis, there is always space for economic "carrots." The measures NATO would take to make the present course more unpleasant (sticks) and the future alternative more attractive (carrots) have to be credible enough all the time while using coercive diplomacy.
- ✓ In its attempt to solve conflicts, NATO should try to address the root causes of the conflict for the conflict resolution to be effective. It is important that NATO help the parties understand what makes them the enemy of each other (i.e. social-economic-political conditions, dynamics, ideas and ideologies, perceptions and misperceptions). The parties may then focus their negative

emotions and energies towards the root causes of their conflict and may cooperate with each other to eliminate them.

- ✓ NATO should also be involved (along with impartial international organizations) in the creation of citizen reconciliation teams. Reconciliation is not needed only after wars: it is much easier to heal psychological wounds when lesser people are killed and no material damage happens.
- ✓ NATO's intervention must take place in the context of an ongoing political peace process. NATO should set up plans to implement any peace settlement that may be reached. For NATO's intervention to be successful, it should understand and exploit the link between diplomacy and military force. Linking military intervention to a larger peace process is often the key to developing a successful exit strategy. Diplomatic interventions gain their force from economic or military backing, while military force requires that diplomacy articulate its goals and interests.

At the dawn of the twenty-first century, the challenges in the Balkans remain daunting. Despite the successful deployment of NATO's forces in the region and the arrest of ethnic cleansing, the stability and security in the Former Republic of Yugoslavia remains perilous while menaced by ethnic hatred, revenge-seekers, and political uncertainty. On the other hand, there can be no prospect of lasting peace and stability in the Balkans as long as Milosevic still has (certain) power. Longer-term success will demand greater efforts to couple military power with the application of stronger economic and political mechanisms, which NATO is part of.

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